



TOWN OF LOS GATOS
PLANNING COMMISSION MEETING
ACTION MINUTES
TOWN COUNCIL CHAMBERS
110 E. MAIN STREET
WEDNESDAY, MAY 10, 2006 -- 7:00 P.M.

Please refer to compact disk # 05-10-06 to hear the entire proceedings of this meeting.

ROLL CALL:

Present: Phil Micciche, Chair (arrived at 8:00 p.m.); Joanne Talesfore, Vice Chair; John Bourgeois, D. Michael Kane, Lee Quintana and Stephen M. Rice

Absent: Thomas O'Donnell

Others: Assistant Community Development Director Randy Tsuda, Associate Planner Joel Paulson, Assistant Planner Vu Nguyen, Associate Civil Engineer Fletcher Parsons and Town Attorney Orry Korb

Commissioner Talesfore acted as Chair for this portion of the meeting.

VERBAL COMMUNICATION

Ray Davis Commented on Chair Micciche's absence at the meeting and disappointed in the way the Chair handled the last meeting; the audience reaction at the last Planning Commission meeting to his presentation and comments regarding Commissioner Bourgeois' doing the right thing; and, he will provide a copy of the minutes from the Town Council hearing on April 19, 2006.

APPROVAL OF MINUTES

April 26, 2006 - Motion by Commissioner Bourgeois and seconded by Commissioner Kane to approve the meeting minutes. Commissioner Quintana asked for a change in one of her reasons for not supporting Item 1 - 91,101 and 109 W. Main St./Conditional Use Permit U-06-12 as follows: "...additional direction from the Town Council on the issue of interpretation of alcohol service in restaurants...". Passed unanimously 5-0 with changes as noted and Commissioners Micciche and O'Donnell absent.

CONSENT CALENDAR - NONE

CONTINUED PUBLIC HEARING

- ITEM 1 **17005 and 17017 Roberts Road**
Planned Development Application PD-05-01
Architecture and Site Application S-05-015
Negative Declaration ND-05-03

Requesting approval of a zone change from RM:5-12 to RM:5-12:PD for a seven lot residential subdivision and approval to demolish a single family residence and a 3-unit apartment building built prior to 1941. No significant environmental impacts have been identified as a result of this project and a Mitigated Negative Declaration is recommended. APN 529-16-021 and 045.

PROPERTY OWNER: Khurram Iqbal

APPLICANT: Donna and Louie Leu

(Continued from April 26, 2006)

PUBLIC TESTIMONY by Louie Leu, Ray Davis, Laura Worthington-Forbes, Stephanie Schweighoter-Jones, Thomas Qiu, Jim Palisi, Sally Webb and Suzanne Boxer-Gassman.

MOTION: Motion by Commissioner Kane and seconded by Commissioner Quintana to continue this item to a public hearing on July 12, 2006.

Motion carried 5-0 with Commissioners Micciche and O'Donnell absent.

Commissioner Micciche now in attendance and acted as Chair for the remainder of the meeting.

NEW PUBLIC HEARINGS

- ITEM 2 **589 University Avenue**
Architecture and Site Application S-06-037
Conditional Use Permit Application U-06-18

Requesting approval to construct a commercial building and approval of a Conditional Use Permit for a restaurant on property zoned LM. APN 529-07-091.
PROPERTY OWNER/APPLICANT: Dave Flick

PUBLIC TESTIMONY by Dave Flick, Michael Tierney, Maryellen Burr, Madeleine Frankel and Ray Darrow.

The applicant dropped the request for approval of Conditional Use Permit Application U-06-18.

MOTION: Motion by Commissioner Rice and seconded by Commissioner Bourgeois to approve Architecture and Site Application S-06-27. The required findings were made as noted in Exhibit A of report dated May 3, 2006 and the application incorporated the conditions as noted in Exhibit B of the report dated May 3, 2006 with the added conditions as follows:

10. ARCHITECTURAL DETAIL: Add more architectural detail to the satisfaction of the Director of Community Development and Consulting Architect.

Motion carried 5-1-0 with Commissioner Quintana dissenting and Commissioner O'Donnell absent. Commissioner Quintana dissented for the following reasons: 1) current small/light industrial area incorporates a retail look without being retail and 2) as an infill project this competes and does not blend with the existing neighborhood.

Appeal rights recited by Mr. Korb.

ITEM 3 **16961 Placer Oaks Rd**
Subdivision Application M-06-01
Architecture and Site Application S-06-016 (Lot #1)
Architecture and Site Application S-06-017 (Lot #2)

Requesting approval of a two lot subdivision on property zoned R-1:8 and approval to demolish a single family residence and to construct a new residence on each of the newly created lots. APN 529-14-059.

PROPERTY OWNER/APPLICANT: Howell & McNeil Development LLC

PUBLIC TESTIMONY Chris Spaulding, Greg Howell, Diana Kennedy, Mort Sherin, Rosemary Greene, David Greene, Liana Palmer, Frank Laurencio and Ray Davis.

MOTION: Motion by Commissioner Micciche and seconded by Commissioner Rice to continue this item to a public hearing on June 28, 2006.

Motion carried 6-0 with Commissioner O'Donnell absent.

Motion by Chair Micciche and seconded by Commissioner Kane to extend meeting beyond 11:30 p.m.

ITEM 4 **107 Colorado Court**
Architecture and Site Application S-06-022

Requesting approval to construct a new single family residence on property zoned HR-2 1/2. APN 527-56-033.

PROPERTY OWNER/ APPLICANT: Stewart and Colette Fahmy

PUBLIC TESTIMONY by Stewart Fahmy, Jerry Glembock, Jack Goldstein, Juliette Davis and Ray Davis.

MOTION: Motion by Commissioner Kane and seconded by Commissioner Rice to return A & S Application S-06-022 to staff to work with the applicant to comply with HDS&G. Commissioner Rice withdrew his second on the motion and motion failed. Motion by Commissioner Talesfore and seconded by Commissioner Rice to deny the application for complete redesign by applicant.

Motion carried 5-1-0 for denial with Commissioner Micciche dissenting and Commissioner O'Donnell absent.

Appeal rights recited by Mr. Korb.

CONTINUED OTHER BUSINESS - NONE

NEW OTHER BUSINESS

ITEM 5 Discuss setting a hearing date to consider revocation of Conditional Use Permit U-94-44/408 No. Santa Cruz Avenue

PUBLIC TESTIMONY - None

MOTION: Motion by Commissioner Kane and seconded by Commissioner Talesfore to hold a public hearing on June 14, 2006 to consider revocation of CUP U-94-44.

Motion carried 6-0 with Commissioner O'Donnell absent.

Sub-Committee Reports

Conceptual Development Advisory Committee - Commissioner Rice commented on the proposed project at 50 Los Gatos-Saratoga Rd at the site of the Los Gatos Lodge. Proposed project was not well received by the Committee.

Historic Preservation Committee - Commissioner Kane commented on the meeting of May 3, 2006 where 307 Pennsylvania Ave project was approved and several other study sessions were held to provide applicants input before a formal submittal to the Committee.

Report from Director of Community Development - None

Commission Matters - None

ADJOURNMENT

Chair Micciche adjourned the meeting at approximately 11:45 P.M.

TOWN OF LOS GATOS PLANNING COMMISSION
May 10, 2006

Phil Micciche, Chair

APPROVED AS TO FORM AND ATTEST:

Randy Tsuda
Assistant Director of Community
Development

Bud N. Lortz
Director of Community Development